

JC06 Rec'd PC 28 SEP 2005

~~IN THE~~ **UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Reuven LEWINSKY et al

Serial No.: 10/542,387

Filed: July 14, 2005

**For: DEVICE, SYSTEM AND
METHOD FOR DETECTING
AND CHARACTERIZING
PLAQUE-INDUCED STENOSIS
OF A BLOOD VESSEL**

Examiner:

[illegible]

Group Art Unit:

Attorney Docket: 30252

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED
APPLICATION UNDER 37 CFR 1.137(b)**

Sir:

Applicant filed the above identified application on July 14, 2005, and a postcard receipt affixed to the application as filed was duly received in which the Serial No.: 10/542,387 was affixed.

Applicant has been awaiting receipt of the formal Filing Receipt since that date. Not having received it as of today, Applicant planned to file a Status Letter regarding the yet to be received Filing Receipt. In arranging the documentation that would support the Status Request, Applicant planned to include proof of the debiting of Deposit Account 501407 on or after the July 14, 2005 date for the aforementioned Serial No. 10/542,387. Applicant now noticed for the first time that no such debit was made, ~~as~~ against Deposit Account 501407.

In reviewing Deposit Account 501407, Applicant notes that on July 14, 2005, when this application was filed, Applicant had well over \$10,000 in said Deposit

Account, more than sufficient amount to pay for the \$675 filing fee for this patent application. More than a sufficient amount was also in the Account through July 19, 2000, and probably through July 20, 2005.

A check of \$50,000, dated July 18, 2005, was sent on July 18, 2005 to replenish the Deposit Account by Federal Express. However, unexpected delays in the Federal Express courier delayed receipt of the check in the USPTO Deposit Account office until July 21, 2005, and it was credited to the Deposit Account on July 22, 2005.

Applicant is concerned that when the Deposit Account was accessed to pay for the filing of the above identified application on either July 20, 2005, July 21, 2005 or July 22, 2005, the funds were not there to be applied for this filing. As such, the above National Stage application may be technically abandoned since the filing fees were not paid, even though the funds were in the Deposit Account on the July 14, 2005 filing date.

In support of this Petition, Applicant includes a copy of the Deposit Account for the relevant days of July 2005, along with a copy of the check that was deposited in the Deposit Account on July 21, 2005.

As is apparent, the abandonment of the application, if in fact it was abandoned, was unintentional. The entire delay in filing the required reply until the filing of this grantable petition was unintentional.

The abandoned application was a utility application.

Please charge the National Stage filing fee of \$675 to Deposit Account 50147 as authorized in the Transmittal Letter dated July 13, 2005.

Please charge the petition fee under 37 CFR 1.17(m) in the amount of \$750.00 to Deposit Account 50-1407. A duplicate copy of this sheet is enclosed.

The grant of this Petition is respectfully requested.

Please charge the National Stage filing fee of \$675 to Deposit Account 50147 as authorized in the Transmittal Letter dated July 13, 2005.

Please issue a Filing Receipt along with the grant of this Petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,



Martin Moynihan
Registration No. 40,338

Date: September 26, 2005



United States
Patent and
Trademark Office



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Page**Deposit Account Statement**

Requested Statement Month: July 2005
 Deposit Account Number: 501407
 Name: G E EHRLICH (1995) LTD.
 Attention: A J CASTORINA
 Address: 2001 JEFFERSON DAVIS HIGHWAY
 City: ARLINGTON
 State: VA
 Zip: 22202
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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07/01	55	11169654	29986	2111	\$250.00	\$48,838.00
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07/01	154	09641973	00/20355	2202	\$50.00	\$47,783.00
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07/18	185	10368044	25526	2501	\$700.00	\$12,278.00
07/18	186	10146141	02/23550	2501	\$700.00	\$11,578.00
07/18	187	10146141	02/23550	1504	\$300.00	\$11,278.00
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07/18	277	11181978	30083	2201	\$200.00	\$10,578.00
07/19	11	PCT/US05/24443	30047	1601	\$300.00	\$10,278.00
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07/19	13	PCT/US05/24443	30047	1701	\$1,124.00	\$6,979.00
07/19	14	PCT/US05/24443	30047	1703	\$1,534.00	\$5,445.00
07/19	15	60699373	29784	2005	\$100.00	\$5,345.00
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07/19	134	60614968	28831(30014)	8007	\$20.00	\$4,715.00
07/19	142	PCT/IL04/00288	27834	1605	\$600.00	\$4,115.00
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07/19	202	60599033	28028(30255)	8007	\$20.00	\$3,922.00
07/19	204	60625057	28043(30256)	8007	\$20.00	\$3,902.00
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07/19	228	60699928	29087	2005	\$100.00	\$3,392.00
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07/20	93	11183850	28166	2011	\$150.00	\$3,022.00
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07/20	95	11183850	28166	2311	\$100.00	\$2,672.00
07/20	96	11183850	28166	2201	\$100.00	\$2,572.00
07/20	97	11183850	28166	2202	\$1,425.00	\$1,147.00
07/20	133	11182953	30292	2011	\$150.00	\$997.00
07/20	134	11182953	30292	2111	\$250.00	\$747.00
07/20	135	11182953	30292	2311	\$100.00	\$647.00
07/20	168	10502791	27402	1251	\$120.00	\$527.00
07/20	169	10502791	27402	2617	\$65.00	\$462.00
07/20	170	10502791	27402	1464	\$130.00	\$332.00
07/20	179	11183884	29890	2011	\$150.00	\$182.00
07/20	193	60700318	30331	2005	\$100.00	\$82.00
07/21	28	60681047	29935	8021	\$40.00	\$42.00
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07/22 19	PA	MENT	9203	-\$50.00	\$50,002.00
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07/22 297	60607254		28543(30113) 8007	\$20.00	\$49,932.00
07/22 494	10542551		30297 1631	\$300.00	\$49,632.00
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07/22 496	10542551		30297 1642	\$400.00	\$49,032.00
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07/25 2	10182269		02/23757 2201	\$100.00	\$48,892.00
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07/25 6	11179574		29909 8021	\$40.00	\$48,662.00
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07/25 8	10542297		30206 2632	\$250.00	\$48,272.00
07/25 8	11180711		29904 8021	\$40.00	\$48,232.00
07/25 9	10542297		30206 8021	\$40.00	\$48,192.00
07/25 9	10526445		29374 8021	\$40.00	\$48,152.00
07/25 10	10526445		29374 8021	\$40.00	\$48,112.00
07/25 11	60681046		29936 8021	\$40.00	\$48,072.00
07/25 12	60684538		29487 8021	\$40.00	\$48,032.00
07/25 13	60682378		29943 8021	\$40.00	\$47,992.00
07/25 143	10075257		10075257 2252	\$225.00	\$47,767.00
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07/25 428	PCT/US04/32327	28207	1605	\$600.00	\$47,147.00
07/25 429	PCT/US04/32327	28207	1705	\$173.00	\$46,974.00
07/26 149	10276080		1567/68482/J 2251	\$60.00	\$46,914.00
07/26 266	10542865		30238 2631	\$150.00	\$46,764.00
07/26 267	10542865		30238 2632	\$250.00	\$46,514.00
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07/26 269	10542865		30238 2681	\$125.00	\$46,289.00
07/26 270	10542865		30238 2615	\$750.00	\$45,539.00
07/26 271	10542865		30238 2614	\$400.00	\$45,139.00
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07/26 357	60590920		28310(30379) 8007	\$20.00	\$45,099.00
07/26 364	60599875		28417(30379) 8007	\$20.00	\$45,079.00
07/27 1	09776874		01/21603 2801	\$395.00	\$44,684.00
07/27 2	09776874		01/21603 2253	\$510.00	\$44,174.00
07/27 3	09776874		01/21603 2202	\$50.00	\$44,124.00
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07/27 76	10524276		28686 2642	\$200.00	\$42,924.00
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07/27 84	5719024		2552	\$1,150.00	\$41,324.00
07/27 85	6371189		2551	\$450.00	\$40,874.00
07/27 86	60700299		30295 2005	\$100.00	\$40,774.00
07/27 87	60700299		30295 2085	\$125.00	\$40,649.00
07/27 88	60700317		30332 2005	\$100.00	\$40,549.00
07/27 107	60701979		30344 2005	\$100.00	\$40,449.00
07/27 138	10542923		29885 2631	\$150.00	\$40,299.00
07/27 139	10542923		29885 2633	\$100.00	\$40,199.00

leumi

474385

AGAINST THIS CHEQUE

Pay to

ORDER OF DIRECTOR OF THE US PATENT AND TRADEMARK OFFICE
FIFTY THOUSAND

DATE 18 JULY 05

The sum of

THIRTY \$ 4444450.000.00

Deposit Account 50-1407

474385 60268027946 01130582109

BANK LEUMI LE-ISRAEL B.M.

Deposit Account

50-1407

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